

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DRAKE A. EDWARDS,	:	
Plaintiff,	:	Case No. 3:08CV158
vs.	:	District Judge Thomas M. Rose
		Magistrate Judge Sharon L. Ovington
JAMES THOMPSON, et al.,	:	
Defendants.	:	

ORDER

The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #3), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on May 23, 2008 (Doc. #3) is ADOPTED;
2. Plaintiff's Complaint is DISMISSED with prejudice as to his federal claims and without prejudice as to his potential state law claims.
3. The Court certifies pursuant to 28 U.S.C. § 1915(a) that an appeal by Plaintiff would not be taken in good faith, and consequently, leave for Plaintiff to appeal *in forma pauperis* is denied; and
4. This case is terminated on the docket of this Court.

June 16, 2008

THOMAS M. ROSE

Thomas M. Rose
United States District Judge